REMARKS

The present Amendment amends claim 5, leaves claims 6-8 unchanged, cancels claims 1-4 and adds new claims 9 and 10. Therefore, the present application has pending claims 5-10.

Claims 1-8 stand rejected under 35 USC §103(a) as being unpatentable over Applicants' alleged admitted prior art in view of Munter (U.S. Patent No. 5,126,999). As indicated above, claims 1-4 were canceled. Therefore, this rejection with respect to claims 1-4 is rendered moot. This rejection with respect to the remaining claims 5-8 is traversed for the following reasons. Applicants submit that the features of the present invention as now more clearly recited in claims 5-8 are not taught or suggested by Applicants' alleged admitted prior art or Munter whether taken individually or in combination with each other as suggested by the Examiner. Therefore, Applicants respectfully request the Examiner to reconsider and withdraw this rejection.

Amendments were made to claim 5 from which claims 6-8 depend to more clearly recite that the present invention is directed to a packet switching system including a plurality of input line processors, a plurality of output line processors, a plurality of input buffers including a plurality of queue buffers, being provided corresponding to the output line processors, and being connected to the input line processors, a crossbar switch being connected to the input buffers and the output line processors, an arbiter to arbitrate for assigning grant of transmitting a packet to said crossbar switch, to any of queue buffers of the queue buffers, and means to determine priority as a parameter between an interval of time for a packet to be

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transmitted to the crossbar switch from said queue buffer and a queue length of said queue buffer, both are calculated for each queue buffer of said queue buffers, to thereby select a queue buffer among all queue buffers in the input buffers and give the selected queue the grant for transmitting a packet to said crossbar switch,

According to the present invention the arbiter performs arbitration according to the priority determined on all queue buffers of the input buffers, and the arbitration is performed based on a transmit priority level calculated by the equation of $L=1n(M-a^*t/b^*sXe)$, where L is the priority level, M is the time out, t is output data interval, s is the number of segments at present time, a is output data coefficient, and b is queue length coefficient.

The above described features of the present invention now more clearly recited in the claims are not taught or suggested by any of the references of record particularly Applicants' alleged admitted prior art or Munter whether taken individually or in combination with each other as suggested by the Examiner.

As indicated by the Examiner in the Office Action Applicants' alleged admitted prior art discloses some of the features of the present invention. However, as admitted by the Examiner and as is clear from the discussion of the Background of the Invention of the present application Applicants' alleged admitted prior art fails to teach or suggest numerous features of the present invention as recited in the claims. Particularly as admitted by the Examiner Applicants' alleged admitted prior art does not teach or suggest the process associated with performing the arbitration as recited in the claims.

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The Examiner recognizing the above noted deficiencies of Applicants' alleged admitted prior art attempts to combine the teachings of Applicants' alleged admitted prior art with Munter. However, Munter only discloses a matrix for determining priority. There is no teaching or suggestion is Munter of performing arbitration according to the priority determined on all queue buffers of the input buffers, and performing the arbitration based on a transmit priority level calculated by the equation of $L=1n(M-a*t/b*sXe)$ as in the present invention as recited in the claims.

Thus, both Applicants' alleged admitted prior art or Munter fail to teach or suggest that the arbitration is performed based on a transmit priority level calculated by the equation of $L=1n(M-a*t/b*sXe)$, where L is the priority level, M is the time out, t is output data interval, s is the number of segments at present time, a is output data coefficient, and b is queue length coefficient as recited in the claims.

Therefore, combining the teachings of Applicants' alleged admitted prior art and Munter in the manner suggested by the Examiner in the Office Action still fails to teach or suggest the features of the present invention as now more clearly recited in the claims. Accordingly, reconsideration and withdrawal of the 35 USC §103(a) rejection of claim 5-8 as being unpatentable over Applicants' alleged admitted prior art or Munter is respectfully requested.

The remaining references of record have been studied. Applicants submit that they do not supply any of the deficiencies noted above with respect to the references utilized in the rejection of claims 1-8.

As indicated above, the present Amendment adds new claims 9 and 10. New claims 9 and 10 recite many of the same features recited in claims 5-8 shown above

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not to be taught or suggested by Applicants' alleged admitted prior art and Munter. Thus, the same arguments presented with respect to the use of Applicants' alleged admitted prior art and Munter to reject claims 5-8 apply as well to the potential use of Applicants' alleged admitted prior art and Munter to reject new claims 9 and 10.

In view of the foregoing amendments and remarks, applicants submit that claims 5-10 are in condition for allowance. Accordingly, early allowance of claims 5-10 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C., Deposit Account No. 50-1417 (501.41076X00).

Respectfully submitted,

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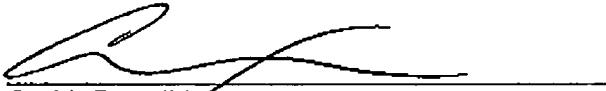
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